



Preliminary Recommendations | September 29, 2009

Note: These are draft recommendations subject to further review and consideration by the Sustainable Recreation Work Group, the Department of Natural Resources (DNR), and citizens. These are not final recommendations.

FUNDING

GOAL: Provide sustainable funding for outdoor recreation on lands managed by the Washington State Department of Natural Resources (DNR) from a variety of sources.

General Funding Issues: At their meeting on September 11, members of the Sustainable Recreation Work Group discussed several unresolved issues that influence the funding recommendations. Discussions centered around whether recommendations should:

- Give equal weight to all funding options; rank the options by priority; or identify just the priority options.
- Identify short-term opportunities; identify long-range opportunities to address immediately; or include both short- and long-term opportunities.
- Focus either on the similarities of DNR's recreation mission with other state agencies' missions or focus solely on DNR's unique role in recreation.

In addition, many work group members stressed that the recommendations must clearly state how each funding option will benefit the public.

FUNDING recommendations:

(Note: Funding recommendations are listed in order of least revenue-generating to greatest revenue-generating. They are **not** listed by preference or importance).

A. USER FEES

Recommend that the Legislature provide DNR with the authority to charge user fees.

Estimated annual revenue: negative \$20,000 to positive \$800,000

Timeframe for generating revenue – Can be accomplished within the current 2009-2011 biennium.

Work group discussion:

- Charging user fees provides an opportunity for recreationists to contribute funding, and builds goodwill in the legislature and the public towards obtaining additional funding.
- The state's recreational immunity statute would need to be amended to allow DNR to charge a fee.

- Two distinct kinds of user fees exist, which could be used together or separately:
 - A multi-agency vehicle pass. (Fees waived for volunteers.)
 - A fee charged at specific facilities (e.g. campgrounds and trailheads)
 - Fee would be based on facility improvements and/or high-use areas.
- Any fee would need to be convenient and easy to use.
- Use existing collection systems (e.g. Fish & Wildlife).
- For more information go to:
http://www.dnr.wa.gov/Publications/amp_rec_srwg_funding_options_analysis.pdf

B. RECREATIONAL IMMUNITY, Part 1

Recommend that the Legislature amend the recreational immunity statute ([RCW 4.24.210](#)) to allow DNR to charge a statewide access fee while retaining its recreational immunity, similar to Washington State Parks and the Washington Department of Fish and Wildlife.

Estimated annual revenue: This option would provide no direct revenue, but would enable DNR to charge fees without losing its recreational immunity.

Work group discussion

- The change would put DNR on equal footing with State Parks and Fish and Wildlife.
- For more information, see “Forum Issue: Access Part 2 (Additional Information)” at http://www.dnr.wa.gov/Publications/amp_rec_srwg_access2_forum_august2009.pdf

C. CONCESSIONAIRES

Recommend that DNR enter into concessionaire agreements, where appropriate, with private entities to manage DNR campgrounds.

Estimated revenue: \$3,500 per campground agreement

Timeframe for generating revenue – Can be accomplished within the current 2009-2011 biennium.

Work group discussion:

- Would create an improvement in the quality of service that campgrounds provide, in addition to driving down management costs.
- Concern that the size of the campground (usually 100 campsites) needed to make a concessionaire agreement economically feasible would not be compatible with DNR’s tradition of providing primitive recreation experiences.
- For more information: “Additional Funding Options” at http://www.dnr.wa.gov/Publications/amp_rec_srwg_funding_options_analysis_2.pdf

D. INCREASE THE GAS TAX REFUND TO THE NONHIGHWAY AND OFF-ROAD VEHICLE ACTIVITIES PROGRAM (NOVA)

Recommend that the Legislature remove the current cap on the fuel tax amount used to calculate the refund for NOVA purposes from 22 cents/gallon to 37.5/gallon, which more closely reflects the actual portion of fuel tax from off-highway use.

Estimated annual revenue: \$1.1 million to DNR and 2.3 million to the NOVA grant program

Timeframe for generating revenue – Can be accomplished within the current biennium but more likely in the 2011-2013 biennium.

Work group discussion:

- Work group members emphasized the need to restore NOVA funding, which the 2009 legislature transferred to State Parks for the current biennium.
- Work group members stressed the importance of protecting NOVA funding from being diverted to other uses.
- NOVA stakeholders should clearly articulate the benefits of this additional fuel tax revenue for NOVA.
- For more information go to http://www.dnr.wa.gov/Publications/amp_rec_srwg_funding_options_analysis.pdf

E. LOTTERY

Recommend that the Legislature establish a new lottery game dedicated specifically to the planning, development, and maintenance of recreational facilities and trails on DNR-managed lands.

Estimated annual revenue: \$4-8 million

Timeframe for generating revenue – Most likely will occur in the 2011-2013, or later, biennium.

Work group discussion:

- Many work group members expressed significant concerns about associating outdoor recreation with gambling.
- Viability of new lottery games may be limited due to the number of existing games.
- For more information go to http://www.dnr.wa.gov/Publications/amp_rec_srwg_funding_options_analysis.pdf

F. LICENSE TAB OPT-OUT DONATION

Recommend that Legislature use any surplus beyond the projected \$23 million from the \$5 license tab fees donation for State Parks to some way benefit the DNR Recreation Program.

Timeframe for generating revenue – 2011 – 2013 biennium.

Estimated annual revenue: Uncertain, because this revenue source is based on donations and whether people fully understand the [opt-out portion](#) of their license tab renewal form. However, based on other states' experiences, this could generate about \$11.5 million.

Work group discussion

- Some work group members recommended using an anticipated surplus from the tab opt-out donation as a rationale for restoring NOVA funds diverted to State Parks in the current biennium.
- Some work group members recommended that the option of restoring NOVA and the surplus from the license tab renewal opt-out donation be kept separate.
- Some work group members expressed concern about how much of a surplus will actually accrue, what should be considered a surplus, and who would determine what a surplus amount would be.
- Some work group members favored legislative action to share of all revenue from this source among State Parks, DNR, and Fish and Wildlife rather than waiting for a surplus.

G. REALLOCATE SALES TAX ON OUTDOOR SPORTING GOODS

Recommend that Legislature reallocate a portion of the sales tax associated with the purchase of outdoor sporting goods to the DNR Recreation Program

Estimated annual revenue: \$15 million

Timeframe for generating revenue – This would be more likely occur in the 2011-2013, or later, biennium.

Work group discussion

- It's important to allocate the money in a manner that would not require additional tracking of purchases by retailers.
- Both outdoor sporting goods customers and retailers benefit from funds used to make outdoor recreation opportunities on DNR-managed lands more attractive to recreationists.
- For more information, see "Additional Funding Options" at http://www.dnr.wa.gov/Publications/amp_rec_srwg_funding_options_analysis_2.pdf

H. NEW STATUTORY TRUST LANDS

Recommend that Legislature create and fund the acquisition of a new classification of statutory trust lands that would be managed by DNR to generate revenue for the DNR Recreation Program.

Estimated annual revenue: \$30 million

Timeframe for generating revenue – This would be more likely occur in the 2011-2013, or later, biennium and could provide a large amount of funding over a long period of time.

Work group discussion:

- May be difficult to get legislative buy-in for this recommendation.
- Appears to be a good fit for DNR’s mission.
- There is a concern over the availability of large amounts of capital funds to buy a land base for the new statutory trust.
- Could provide benefits of jobs to local economies.
- Could serve as a means to protect forests and farm land from conversion.
- Some work group members felt this proposal could be pursued in the future, while others felt that early steps should be started now.
- For more information, go to http://www.dnr.wa.gov/Publications/amp_rec_srwg_funding_options_analysis.pdf

OTHER FUNDING IDEAS FROM PUBLIC COMMENTS

This option was not evaluated in detail by the work group; therefore, it is not a work group preliminary recommendation.

- Extend the existing 0.5 percent watercraft excise tax to recreational road vehicles and trailers. Could potentially raise over \$16 million annually.

ACCESS

ACCESS GOAL 1: Ensure that DNR-managed lands provide safe, environmentally sustainable and enjoyable recreational opportunities for a diverse recreating public.

Access recommendations:

A. EDUCATION AND ENFORCEMENT

Recommend that Legislature create a dedicated funding source to pay for an integrated education and enforcement presence on DNR-managed lands, ranging from a volunteer Forest Watch program to paid law enforcement officers.

Work group discussion

- The legislature could amend the Washington Wildlife Recreation Program (WWRP) statutory allocation to provide more grant funding for education and enforcement.
- There may be a potential advantage for consolidating enforcement staff from natural resources agencies.
- For more information, see “Forum Issue: Access Part 2 (Additional Information)” at http://www.dnr.wa.gov/Publications/amp_rec_srwg_access2_forum_august2009.pdf

B. UNAUTHORIZED TRAILS AND STRATEGIC PLANNING

Recommend that DNR address environmental and other impacts from recreational use on DNR-managed lands—including unauthorized trails—through a strategic, collaborative approach that includes in-depth planning in the most critical landscapes and controlling and /or mitigating impacts in a variety of ways in the absence of an in-depth planning process.

Work group discussion:

- DNR is successfully using a priority approach to landscape planning.
- Members acknowledged that some unauthorized trails provide benefits to recreation users on DNR lands, and that if some of these trails cause little or no environmental impacts or other concerns, DNR may considering incorporating them into the DNR trail system.
- DNR should coordinate with neighboring landowners, such as local governments, when planning.
- For more information, see “Unauthorized Trails and Strategic Planning,” http://www.dnr.wa.gov/Publications/amp_rec_srwg_unauthorized_trails_information_092809.pdf

C. RECREATIONAL IMMUNITY, Part 2

Recommend that the Legislature amend the recreational immunity statute ([RCW 4.24.210](#)) so that landowners do not lose their recreational immunity in situations where there is an injury involving a “known dangerous, artificial, latent condition” for which warning signs have not been conspicuously posted.

Work group discussion

- A broad coalition of user groups and landowners could gain legislative support for amending the statute.
- If the statute is amended, private landowners will likely be more willing to provide public access through their property onto DNR-managed lands.
- Amending the statute would make recreational immunity more comparable to other states in the country.
- DNR will need to provide clear evidence of the financial harm that the “artificial latent condition” exception has caused to the agency.
- For more information, see “Forum Issue: Access Part 2 (Additional Information)” at <http://apps.leg.wa.gov/RCW/default.aspx?cite=4.24.210>

ACCESS GOAL 2: Obtain more public access to DNR-managed uplands and aquatic lands.

(Currently, 36 percent of DNR roads have some form of access restriction, and many state-owned tidelands and shorelines are only accessible by boat.)

A. PURCHASE ACCESS

Recommend that the Legislature create a well-funded account that state agencies, including DNR, can use to acquire public access through private property onto state lands.

Work group discussion

- Any account that would be used to purchase access would likely draw money from an existing source.
- Concern that DNR needs to be able to adequately manage current recreational facilities and lands before providing access to new lands.
- Concern about environmental impacts from new road building activities.
- Concern about DNR losing public access opportunities in the future as a result of counties and neighboring forest owners abandoning roads, as well as new neighboring owners not allowing public access.
- For more information, see “Forum Issue: Access Part 2 (Additional Information)” at <http://apps.leg.wa.gov/RCW/default.aspx?cite=4.24.210>

B. BLOCK UP LANDS

Recommendation: DNR should continue to block up trust land ownership and acquire trust ownership of key parcels, providing both increased management and recreational access.

Work group discussion

- When exchanging scattered parcels to block up land, DNR should not decrease the overall land base they manage.
- When blocking up lands, DNR should look for lands that can be accessed by the public.
- For more information, go to http://www.dnr.wa.gov/Publications/amp_rec_srwg_forum_background_access.pdf